

REMARKS

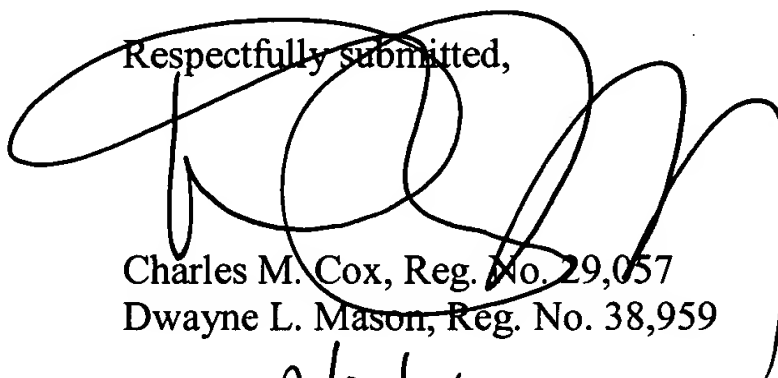
Claim 9 is amended to add to it a proviso that was a part of claim 7, from which claim 9 was originally dependent, which proviso precludes claim 9 from reading on compound 31 in Table IB at pages 22-23 of WO 97/40028 (equivalent to HU P0004421A cited by a Hungarian search report dated 24.11.04 (sic – 24.11.03)).

In the Office Action April 21, 2004 a restriction was stated and an election was required as between the inventions of Group I, claim 9; Group II, claim 11; and Group III, claim 12. Applicants hereby elect Group I, claim 9. It is understood that claims 11 and 12 will be withdrawn from further consideration during prosecution of this application.

CONCLUSION

Applicant submits that with this amendment and election this application with pending claim 9 stands in condition for allowance.

Respectfully submitted,



Charles M. Cox, Reg. No. 29,057

Dwayne L. Mason, Reg. No. 38,959

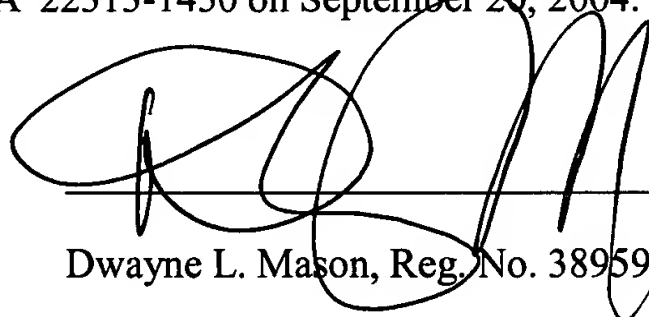
Date: 9/20/04

AKIN GUMP STRAUSS HAUER & FELD LLP
1900 Pennzoil Place, South Tower
711 Louisiana Street
Houston, Texas 77002
Telephone: (713) 220-5800
Facsimile: (713) 236-0822



CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on September 20, 2004.



Dwayne L. Mason, Reg. No. 38959